



**REGULAR MEETING  
MINUTES  
for  
Wednesday, April 27, 2005  
4:00 P.M. – Council Chamber Boardroom  
and  
5:30 P.M. - Art Pick Council Chambers  
3900 Main Street, Riverside, CA**

**CASE REVIEW – 4:00 P.M.**

**Roll Call**

Brewer	Davidson	Garcia	Gardner	Ward	Pearcy	Corral	Huerta	Quinto
A	✓	✓	✓	✓	✓	✓	Resigned	✓

✓ = Present    A = Absent

**Public Comment**

There were no public comments.

**Closed Session – Case Reviews**

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 4:12 p.m. to discuss issues pertaining to PUBLIC EMPLOYEE PERSONNEL MATTERS.

<u>CPRC CASE NO.</u>		<u>IA CASE NO.</u>	<u>CPRC CASE NO.</u>		<u>IA CASE NO.</u>
1)	04-013	PC-04-051-215	8)	04-085	PC-04-337-155
2)	04-038	PC-04-154-139	9)	04-086	PC-04-362-194
3)	04-047	PC-04-194-271	10)	04-088	PC-04-363-093
4)	04-060	PC-04-253-125	11)	04-090	PC-05-045-253
5)	04-063	PC-04-252-122	12)	05-002	PC-05-006-041
6)	04-078	PC-04-320-192	13)	05-006	PC-05-019-186
7)	04-080	PC-04-337-155	14)	05-020	PC-05-060-259

The Commission recessed at 5:24 P.M. to reconvene in the Council Chambers.

## OPEN SESSION – 5:30 P.M.

**The following proceedings have been digitally recorded.  
For copies, please call the CPRC office at (951) 826-5509.**

Chairman Gardner led in the Pledge of Allegiance. Chairman Gardner asked Ms. Sherron to confirm commissioner attendance.

Brewer	Davidson	Garcia	Gardner	Ward	Pearcy	Corral	Huerta	Quinto
A	✓	✓	✓	✓	✓	✓	Resigned	✓

✓ = Present    A = Absent

Chairman Gardner announced the resignation of Commissioner and Vice-Chair Gloria Huerta, Ward 7. He also announced that Ricardo Castro was selected by Council as the Ward 6 commissioner and would be sworn in on May 3.

Commissioner Percy asked if the Commission could make nominations for the officer vacancy or if it had to be agendized. Chairman Gardner said it had to be agendized. He asked staff to agendize officer selection for the next regular meeting and to start the standard procedure for selection of a new vice-chair. He asked that commissioners interested in serving as vice-chair contact staff.

Interim Executive Director (IED) Payne suggested that Interim Assistant City Manager (IACM) Jim Smith speak on the issue of how the vacancy would be handled to which the Chair agreed.

IACM Smith advised the Commission that he had spoken to City Clerk Colleen Nicol regarding the CPRC vacancy and asked if Council could consider candidates for the vacancy since they were reviewing applications for ward vacancies of other boards and commissions. Ms. Nicol said that the vacancy had to be noticed for 10 days first. After the 10-day notice, the Mayor and Councilmember from the subject ward can nominate a person to fill the vacancy.

### Update on Staff Realignment

Item A:

Tom Evans, Interim City Manager, addressed the Commission on the staff realignment, coming back before the Commission as he had promised in December. He advised the Commission that:

- his office has been continually monitoring and evaluating the progress of the interim model of having two commissions with one executive director;
- all the feedback he has received from both the Human Relations Commission (HRC) and the CPRC has been positive;
- he felt it was important to find new ways to improve outreach and communication;
- both he and the Interim Assistant City Manager believed the current structure was working and that it would continue;
- he has advised the City Manager of the situation so he knows the importance of making sure both commissions are supported;
- the City Manager's Office is committed to making the interim model successful or switching back to the original model if it doesn't work.

Commissioner responses:

- Commissioner Davidson said
  - it was not only the right thing to do, but feels communication is better;
  - Dr. Payne has done a good job;
  - not only has the Commission not "missed a beat," but has improved
- Commissioner Quinto said
  - she is very satisfied with what Dr. Payne has done;
  - he has gone beyond the call of duty to assist the Commission;
  - he's doing great at both jobs.
- Commissioner Percy said
  - there has been significant improvement in outreach which is a direct result of Dr. Payne's efforts;

Chairman Gardner thanked Mr. Evans noting that he has been very responsive with any concerns raised by the Commission.

Mary Shelton objected to the Mayor and Steve Adams to appointing a commissioner to the CPRC. She noted that all the past and current commissioners went through a specific process to become commissioners and that candidates from Ward 7 should have the same chance and go through the same process as other commissioners.

Nanette Pratini commented that 10 days seems too short to post a notice to get an adequate applicant pool.

Chairman Gardner asked Mr. Smith if he had anything to add to Mr. Evans comments. Mr. Smith said he did not.

Chairman Gardner asked Mr. Smith about the process to replace commissioners who resign. Mr. Smith said

- the 10-day notice is to notify citizens of the vacancy;
- that choices are ranked and next in line would be contacted;
- that he would defer to the City Clerk for more detailed answers regarding the process.

Item B:

Interim Assistant City Manager Jim Smith spoke to the Commission on the February 10 Retreat and resultant outline of goals and objectives. Mr. Smith said that

- a procedure is now in place for the CPRC Chair, Executive Director, and himself to meet with the Police Chief regarding issues that may arise regarding policy or complaint cases;
- he is satisfied with the response from RPD;
- he feels the process is on track with goals and objectives that were set forth in the outline.

Chairman Gardner noted that the Commission had never formally accepted the goals and objectives stated in the February 10 Retreat Outline. The Commission agreed and took the following action:

Action	Motion	Second	Approve	Oppose	Abstain
That the Commission accept the Goals and Objectives as stated in the February 10 Retreat Outline	Corral	Garcia	7	0	0

## Approval of Minutes

Minutes for Approval	Motion	Second	Approve	Oppose	Abstain
March Regular Meeting	Ward	Davidson	6	0	1
April Case Review	Corral	Garcia	5	0	2

## Executive Director's Report & Comments

Executive Director Payne reported to and advised the Commission:

- on the new protocol to discuss cases with RPD re handling of problem cases;
  - 1<sup>st</sup> meeting held on April 14;
  - memo would be sent if required, but talking seems to work better;
  - case will go to City Manager for decision in the event a decision can't be reached;
- that the Investigation Critique form will be used starting with the cases up for review on May 11;
- on the state of the Commission's budget for the current fiscal year.

## Commissioner Comments

Commissioner Garcia

- thanked Commissioner Corral for participating in the Lincoln Avenue Mural Restoration Project;
- noted extended an invitation to the Cinco de Mayo Festival being held the upcoming weekend;
  - advised that three people were needed to judge the parade.

## Public Comments

Mary Shelton spoke regarding the April 24 Press-Enterprise article regarding the Commission.

Ralph Avila said that he filed a complaint regarding an incident that occurred in the Council Chamber Boardroom. He said that he asked the investigating officer not to record the conversation. He said he would like the Commission to request the paperwork from Internal Affairs.

## Committee Reports

### A) Outreach Committee – Brian Percy, Chair

Commissioner Percy

- noted that staff is doing good job of scheduling meetings for the Commission;
- asked for volunteers for several meetings;
- said the Commission needs to continue outreach to RPD.

### B) Budget Committee – Bob Garcia, Chair

Commissioner Garcia noted that committee didn't meet in April due to lack of quorum, but will meet on May 2.

### C) Policy & Procedure Review Committee - Jack Brewer, Chair

Chairman Gardner noted that the committee chair was absent. He said he would ask the committee to look at a policy recommendation regarding officer response to calls of loud noise. He noted that officers are currently required by policy to contact the complaining party even if they ask to not be contacted.

## **Volne Stokes Officer-Involved Death Case**

Chairman Gardner noted that the draft memo discussed at the March 23 meeting contained some incorrect information. Because of this, he and the Executive Director had revised the March 23 draft, eliminating that information to become the April 1 draft.

It was noted during Commission discussion that some of the items that had been in the March 23 draft had been removed from the April 1 revision and that they should not have been removed. Chairman Gardner said that he would work on a revision, using the March 23 draft, and that the revised draft would come back to the Commission for a roundtable discussion on May 25.

Mary Shelton noted that a motion to dismiss was supposed to be filed regarding the litigation resulting from the Stokes officer-involved shooting investigation. She said that RPD is in violation of its policy if Internal Affairs isn't conducting a separate investigation.

## **Adjournment**

The Commission adjourned at 7:13 p.m.

Respectfully submitted,

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PHOEBE SHERRON  
Sr. Office Specialist